

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
Beckley Division**

BELLWOOD CORP.,  
GREENBRIER HOTEL CORP.,  
GREENBRIER GOLF AND TENNIS CLUB  
CORP.,  
GREENBRIER MEDICAL INSTITUTE, LLC,  
THE GREENBRIER SPORTING CLUB  
DEVELOPMENT COMPANY, INC.,  
THE GREENBRIER SPORTING CLUB, INC.,  
JUSTICE FAMILY GROUP, LLC,  
JAMES C. JUSTICE COMPANIES, INC.  
JUSTICE FARMS OF NORTH CAROLINA,  
LLC,  
JUSTICE LOW SEAM MINING, INC.,  
OAKHURST CLUB, LLC,  
TAMS MANAGEMENT, INC.  
TRIPLE J PROPERTIES LLC,  
JAMES C. JUSTICE II,  
CATHY L. JUSTICE, AND  
JAMES C. JUSTICE III

Plaintiffs,

v.

CARTER BANK & TRUST, et al.

Defendants.

Civil Action No. 5:21-cv-00320

**CARTER BANK’S MOTION TO DISMISS FOR IMPROPER VENUE OR, IN THE  
ALTERNATIVE, TO  
TRANSFER VENUE TO THE WESTERN DISTRICT OF VIRGINIA**

Defendant Carter Bank & Trust (“Carter Bank”), by counsel and pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure, 28 U.S.C. §§ 1404(a) & 1406(a), and Local Rule 7.1(a)(2), moves to dismiss Plaintiffs’ Complaint for improper venue or, in the alternative to transfer this case to the proper venue in the Western District of Virginia. The reasons supporting this Motion are set forth in the accompanying Memorandum in Support and the exhibits attached hereto.

Dated: July 14, 2021

Respectfully submitted,

/s/ R. Booth Goodwin II  
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FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY

BELLWOOD CORP., et al.,

Plaintiffs,

v.

Civil Action No. 5:21-cv-00320  
Honorable Frank W. Volk, Judge

CARTER BANK & TRUST, et al.,

Defendants.

**CERTIFICATE OF SERVICE**

I, Carrie Goodwin Fenwick, hereby certify that I served a true and correct copy of **Carter Bank's Motion to Dismiss For Improper Venue or, In the Alternative, To Transfer Venue to the Western District of Virginia** upon the following counsel of record on July 14, 2021, via the Court's CM/ECF system.

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